

# ***RESOLUTION NO.: 73—2023-24***

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

*2/3 MAJORITY – 24 VOTES*

1           The Appleton International Airport (the Airport) and Allegiant Air LLC desire to  
2           incorporate a Second Addendum to the Airline Operating Agreement. This addendum  
3           provides for an additional 504 square feet of Terminal office rent. The 2023 rate per square  
4           foot in the Terminal is \$43.70, therefore a budget adjustment for \$8,259 is needed for the  
5           period August 14, 2023 through December 31, 2023. The addendum also adds Exhibit A.2  
6           to reflect the additional space rented.  
7

8           NOW THEREFORE, the undersigned members of the Property, Airport, Recreation and  
9           Economic Development Committee recommend adoption of the following resolution.

10           BE IT RESOLVED, that the Outagamie County Board of Supervisors does approve the Second  
11           Addendum to Airline Operating Agreement between the Appleton International Airport and Allegiant Air  
12           LLC in order to provide additional square feet of Terminal office rent, as noted on the attached Second  
13           Addendum to Airline Operating Agreement which by reference is made a part hereof, and

14           BE IT FURTHER RESOLVED, that the Outagamie County Board of Supervisors does authorize  
15           and approve increasing the Airport Terminal Allegiant Air First Floor Exclusive line item by \$8,259 and  
16           decreasing the Airport Terminal Fund Balance Applied line item by \$8,259 as noted on the attached fiscal  
17           note which by reference is made a part hereof, and

18           BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy of  
19           this resolution to the Outagamie County Finance Director and the Appleton International Airport Director.

20           Dated this \_\_\_\_ day of November 2023  
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Respectfully submitted,

PROPERTY, AIRPORT, RECREATION &  
ECONOMIC DEVELOPMENT COMMITTEE

\_\_\_\_\_  
Dean Culbertson

\_\_\_\_\_  
Lee W. Hammen

\_\_\_\_\_  
Ronald Klemp

\_\_\_\_\_  
Yvonne Monfils

\_\_\_\_\_  
Jayson Winterfeldt

Duly and officially adopted by the County Board on: \_\_\_\_\_

Signed:

\_\_\_\_\_  
Board Chairperson

\_\_\_\_\_  
County Clerk

Approved: \_\_\_\_\_

Vetoed: \_\_\_\_\_

Signed:

\_\_\_\_\_  
County Executive

**SECOND ADDENDUM TO AIRLINE OPERATING AGREEMENT**

**THIS SECOND ADDENDUM** is entered into this \_\_\_\_ day of \_\_\_\_\_, 2023, between the County of Outagamie, Wisconsin (“County”) and Allegiant Air LLC, (“Airline”).

**WHEREAS**, the parties have entered into an Airline Operating Agreement on January 1, 2018 (hereinafter the “Agreement”), providing for the lease of certain premises within the terminal building, use of certain facilities at the Airport and acquire certain rights and privileges from the County in connection with its use of the Airport; and

**WHEREAS**, the parties have previously amended the Lease by a First Addendum; and

**WHEREAS**, the Airline desires to lease additional office; and

**WHEREAS**, the parties desire to amend the Agreement by this Second Addendum; and

**NOW, THEREFORE**, in consideration of the mutual benefits, covenants and obligations of the parties contained in the Agreement, County and Airlines agree to amend the lease as follows:

1. Exhibit A.2 shall be added to include 504 square feet of additional Exclusive Use Space.
2. Except as amended, herein, the terms and conditions of the Agreement in all other respects remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

OUTAGAMIE COUNTY

By: \_\_\_\_\_  
Thomas Nelson  
County Executive

APPROVED AS TO FORM:

By:   
Kyle Sargent  
Corporation Counsel

By: \_\_\_\_\_  
Jeff Nooyen  
Board Chairperson

By: \_\_\_\_\_  
Jeffrey King  
County Clerk

ALLEGIANT AIR LLC  
a Nevada corporation

By:   
Name: Thayne Klingler  
Title: Director, Airport Affairs  
Date: September 14, 2023

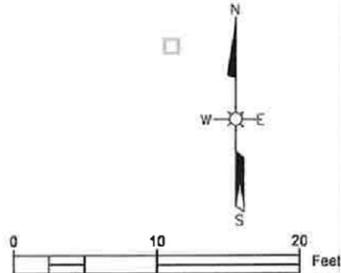
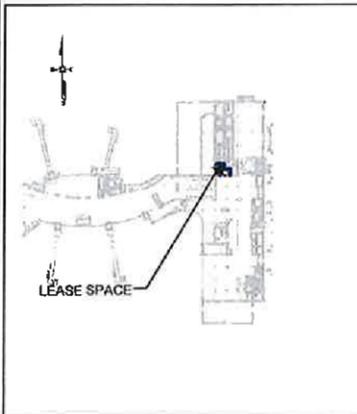
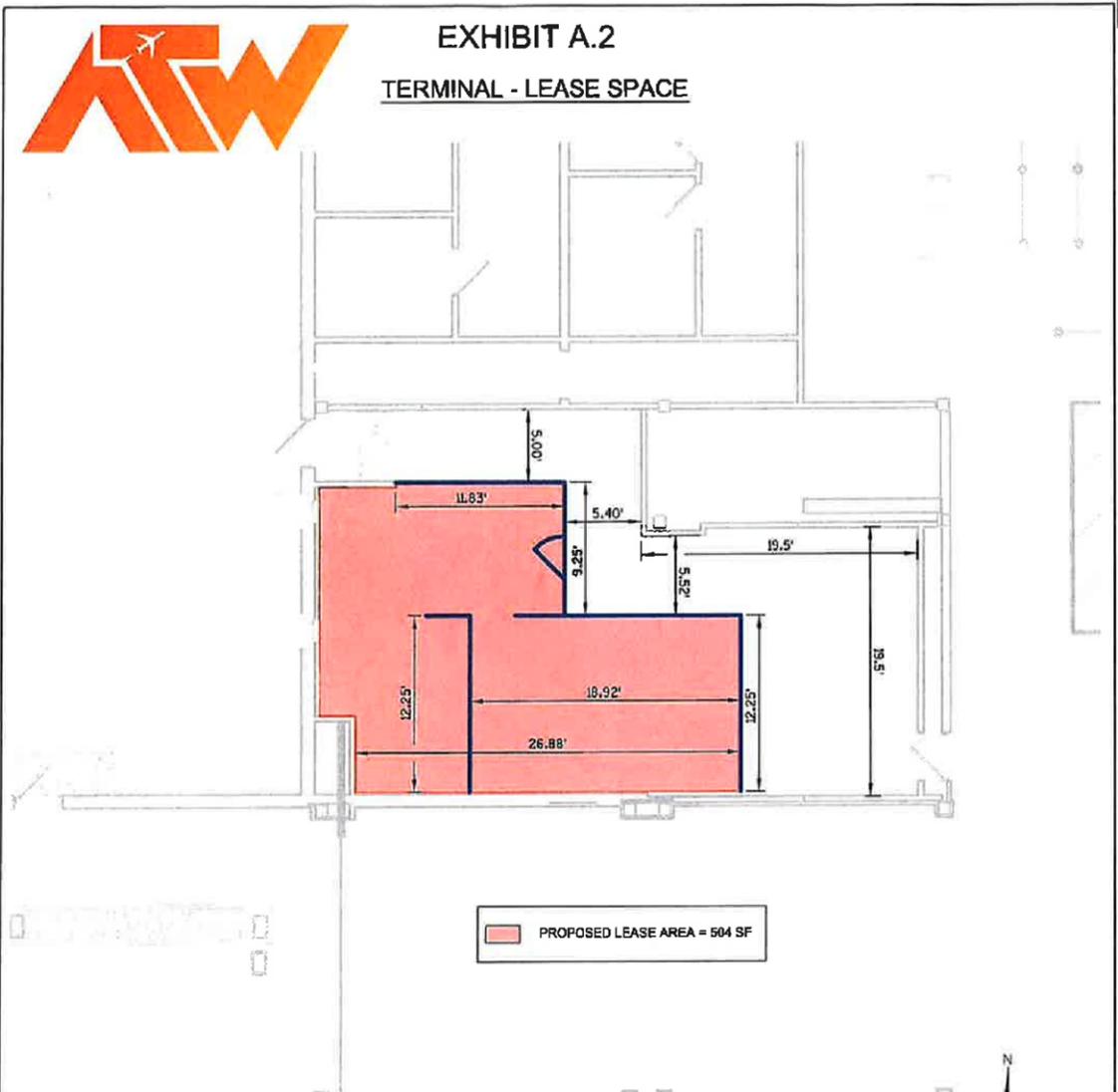


**EXHIBIT A.2**  
**TERMINAL - LEASE SPACE**

PLOT BY: 1/10/16 RJB/SST

PLOT DATE: 1/07/17/2023

FILE NAME: C:\7\UNIVERSITY\DATA\PROJECTS\TERMINAL\2023 - AIR TERMINAL - 1ST FLOOR - SALT ROOMS & FINAL LAYOUT.rvt



<b>Westwood</b>		DRAWN: MEF	SCALE: AS SHOWN	APPLETON INTERNATIONAL AIRPORT APPLETON, WISCONSIN	
		REVIEWED: ---	PROJ: 02172A10	EXHIBIT A.2	
		APPROVED: ---	FILE: SALT ROOM	TERMINAL - 1ST FLOOR	
		DATE: 07/31/23	SHEET	LEASE SPACE	
		ONE SYSTEMS DRIVE APPLETON, WI 54912-1854	1 of 1		
		PHONE: (920) 735-8800 FAX: (920) 822-8100			
REV.	DATE	APP'D	DESCRIPTION		

**OUTAGAMIE COUNTY FISCAL NOTE**

**INTRODUCTION:** This form must be attached to any resolution or ordinance which contains a spending or revenue proposal. The form should be completed by an individual within the department initiating the resolution or ordinance with assistance from the Financial Services Department. Contact the Finance Director (1674), Controller (1675) or Staff Accountant (1681) for assistance. Once completed, forward a copy of the form to the Financial Services Department for their review. Financial Services will forward a reviewed copy of the fiscal note to Legislative Services.

1. **Subject:** 2nd Addendum to Allegiant Air Airline Operating Agreement

2. **Description:** This section must be completed for all fiscal notes. Briefly and concisely describe the request. State assumptions used and discuss any current year and long-term fiscal impacts. (A separate attachment can be used)

The Appleton International Airport and Allegiant Air desire to incorporate 2<sup>nd</sup> addendum for the Airline Operating Agreement. This addendum provides for an additional 504 square feet of Terminal office rent. The 2023 rate per square foot in the Terminal is \$43.70, therefore a budget adjustment of \$8,259 is needed for the period August 14, 2023 through December 31, 2023. The addendum also adds Exhibit A.2 to reflect the additional space rented. Therefore the Airport is requesting approval of a budget adjustment of \$8,259.

**Current Year Budget Impact (Check one or more of the following boxes)**

Revenues                       Expenses (Cost)                       None

- 3. Is the specific cost or revenue included in the current year's budget?                      yes ( )    no (X)    partially ( )    n/a ( )
- 4. If the proposal requests additional spending, can the additional cost be absorbed within the current year's line item?                      yes ( )    no ( )    n/a (X)
- 5. Is the proposal to accept additional revenues only?                      yes (X)    no ( )
- 6. Does this request modify/adjust the current year budget?                      yes (X)    no ( )    To be determined  
If no, skip to question 8 below.

7. Detail current year budget changes. Please list cost center name, line item, account number and either the increase or decrease amount. (Please note that all budget adjustments must balance. For example, an increase in an expenditure account must be offset by a decrease in another expenditure account or the contingency fund or an increase in a revenue account or other funding sources such as fund balance applied.)

<u>COST CENTER NAME</u>	<u>LINE ITEM</u> <small>(i.e. Salaries, Supplies, Etc.)</small>	<u>ACCOUNT NUMBER INCLUDING COST CENTER</u> <small>(i.e. 1004100.5100, 1004100.5400, etc.)</small>	<u>INCREASE (DECREASE) AMOUNT</u>
Airport Terminal	Allegiant Air First Floor Exclusive	5000110.4470.07	8,259
Airport Terminal	Fund Balance Applied	5000110.8955	(8,259)

**Annual and Long-Term Impact**

- 8. Is the above Increase/Decrease a nonrecurring one-time expense or revenue?                      yes ( )    no (x)    n/a ( )
- 9. What is the anticipated annual and/or long-term cost or revenue impact?                      Annual Cost                      0

Annual Revenue                      \$22,024

Fiscal Note Prepared by: Abe Weber/Katie Horan

<b>For Financial Services purposes only</b>	
Reviewed By: <i>Carlson Bong</i>	If expenditures are recorded in the financial system at a level of detail lower than the level 6 as shown above, indicate the specific account numbers and amounts below: <u>Detail Expenditures Account Number</u> <u>Amount</u>
Date: <u>10/3/2023</u>	
<b>Comments:</b>	